UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

SUSAN SAMUELS, Individually and On Behalf of a Class of Similarly Situated Persons.

Plaintiffs,

VS.

TD AMERITRADE, INC. TD AMERITRADE CLEARING, INC., **Civil Action No.:** 1:11-CV-00303-JOF

Defendants.

JOINT MOTION FOR EXTENSION TO TIME TO RESPOND AND FOR **BRIEFING SCHEDULE**

The parties to the above-captioned action jointly and respectfully move the Court for an order extending the time for Defendants to move to dismiss Plaintiff's Complaint by one week from the current deadline, and to set a briefing schedule for responsive briefs in light of Defendants' indication that they will file a motion to dismiss. In support of the motion, the parties show as follows:

By order dated March 4, 2011, this Court granted Defendants' Stipulation and Motion for Extension of Time to Respond, and ordered that Defendants shall have until April 4, 2011 to answer, move to dismiss or otherwise respond to the Complaint. The parties have conferred further and have agreed to allow

Defendants until April 11, 2011 to move to dismiss the Complaint. The parties have also agreed to the following briefing schedule for Defendants' motion to dismiss, subject to the approval of the Court:

- Deadline for Defendants' motion to dismiss and memorandum of law in support: April 11, 2011;
- Deadline for Plaintiff to respond to Defendants' motion to dismiss: May 11, 2011;
- Deadline for Defendants to submit any reply memorandum of law in support of their motion: June 10, 2011.

WHEREFORE, the parties request that this Court enter an Order granting the foregoing extensions of time and setting a briefing schedule as proposed herein.

A proposed form of order is attached as Exhibit A.

Respectfully submitted, this 24th day of March, 2011, by:

/s/ Michael P. Carey

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing JOINT MOTION

FOR EXTENSION TO TIME TO RESPOND AND TO SET BRIEFING

SCHEDULE with the Clerk of Court using the CM/ECF system which will

automatically e-mail notification of such filing to all counsel of record.

This 24th day of March, 2011.

/s/ Michael P. Carey

Michael P. Carey

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